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CRIMINAL PROCEDURE
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SYLLABUS

JONATHAN DAWE & JOHN McINNES

REQUIRED READING MATERIAL:

(i) Tremeear's or Martin's 2010 *Criminal Code* (or any other current *Criminal Code*)

(ii) Stuart, Delisle & Quigley, Learning Canadian Criminal Procedure, 9th ed. 2008, Carswell

(iii) Dawe & McInnes, Supplementary Casebook, Winter 2010

I. JURISDICTION

(i) Courts and Classification of Offences

Criminal Code, ss.468-473 and s.785

Stuart: pp.1-9

Dawe & McInnes Supplement:
- Mewett, Introduction to the Criminal Process 2

(ii) Time Limitations: Trial within a reasonable time

Criminal Code, s.786

Charter, s.11(b) and s.7

Delisle & Stuart: pp.10-11, 760, 769-94

Dawe & McInnes Supplement:
- *Smith v. The Queen* (1989), 73 C.R. (3d) 1 (S.C.C.) 7
- *Askov et al. v. The Queen* (1990), 59 C.C.C. (3d) 449 (S.C.C.) 16
- *Collins and Pelfrey v. The Queen* (1995), 99 C.C.C. (3d) 385 (S.C.C.).....41

(iii) Territorial jurisdiction, jurisdiction over the person and offence, loss of jurisdiction

Criminal Code, ss.6 and 7; 470, 476 and 478; 504, 543 and 537(1)(a)

Stuart, pp.12-29

Dawe & McInnes Supplement:

- *R.v. McMorris and Francis* (1971), 4 C.C.C. (2d) 268 (Ont.Dist.Ct.) 47
- *R. v. Liesmer; R. v. MacDougall*, April 19, 1990 (Ont.Prov. Ct.) 49
- *R. v. Ellis*, 2009 ONCA 483 .....74A

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Criminal Code, ss.485 and 485.1; 537(1) j & k, 544, 475 and 650, 650(1.1), 650(1.2) and 650.01

Charter, s.7 and s.14

Dawe & McInnes Supplement:

- *Doyle v. The Queen* (1976), 29 C.C.C. (2d) 177 (S.C.C.) 75
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(v) Apprehension of Bias

Dawe & McInnes Supplement:

- *Phillips & Parry v. The Queen (1997), 113 C.C.C. (3d) 481(S.C.C.)* 142

(vi) Change of Venue

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Dawe & McInnes Supplement:

- *R. v. Talbot* (1977), 38 C.C.C. (2d) 555 (Ont.H.C.J.).....148

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Charter, s.8

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Dawe & McInnes Supplement:

- *Re Zevallos and The Queen* (1987), 37 C.C.C. (3d) 79 (Ont.C.A.) 152
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